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From-PILLSBURY WINTHROP

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Attorney's Docket 098501-0264671
Client Reference: 99/06PH/DE

APR 01 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
JURGEN ENGEL ET AL.

Confirmation No: 5040

Application No.: 09/523,455

Group Art Unit: 1617

Filed: March 10, 2000

Examiner: S.A. JIANG

Title: METHOD FOR A PROGRAMMED CONTROLLED OVARIAN STIMULATION
PROTOCOL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8**

I hereby certify that the following papers, consisting of 24 pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

Amendment/Response Transmittal
Amendment Pursuant to 37 CFR 1.111

PILLSBURY WINTHROP LLP



THOMAS A. CAWLEY, JR. PH.D.
Reg. No. 40944

Date: April 1, 2005
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(Certification of Facsimile Transmission—page 1)

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In re PATENT APPLICATION of:
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For: METHOD FOR A PROGRAMMED CONTROLLED OVARIAN STIMULATION PROTOCOL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for a 3 months extension of time under 37 C.F.R. 1.136.

FEES

The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	22	-	24	= 0 x \$ 50.00	= \$ 0.00
INDEP.	1	-	3	= 0 x \$ 200.00	= \$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$ 360.00 = \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 0.00
EXTENSION OF TIME FEE					\$ 1,020.00
GRAND TOTAL					\$ 1,020.00

FEE PAYMENT

Authorization is hereby made to charge the amount of \$1,020.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: April 1, 2005
PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102
703. 905.2144


THOMAS A. CAWLEY, JR. PH.D.

Reg. No. 40944

Client Matter No.: 098501/0264671
Client Ref. No.: 99/06 PH

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Confirmation No.: 5040

Engel *et al.*

Group Art Unit: 1617

Appln. No.: 09/523,455

Examiner: S.A. Jiang

Filed: March 10, 2000

Title: Method for a Programmed Controlled Ovarian Stimulation Protocol

April 1, 2005

AMENDMENT PURSUANT TO 37 C.F.R. §1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to an official action dated October 4, 2004, wherein the pending claims were rejected under 35 U.S.C. §103(a), 35 U.S.C. §112, first paragraph, and the judicially created doctrine of obviousness-type double patenting. The applicants respectfully traverse in view of the following amendment and remarks.

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